

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:04CR3023
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
JOSE D. LUNA,)	
)	
Defendant.)	

The government has filed a motion for reduction of sentence pursuant to Federal Rule of Criminal Procedure 35(b) and request for hearing (filing 39). Accordingly,

IT IS ORDERED that:

- (1) The government's motion for hearing is granted;
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 39) has been set before the undersigned United States district judge on Friday, March 10, 2006, at 11:00 a.m., in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska;
- (3) The United States Marshal is directed to return the defendant to the district for the hearing;
- (4) Counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act, is reappointed to represent the defendant for purposes of the Rule 35(b) motion. If retained, counsel for the defendant remains as counsel for the defendant until the Rule 35(b) motion is resolved or until given leave to withdraw;
- (5) The Federal Public Defender shall provide CJA counsel with a new voucher;

(6) The Clerk of the Court shall provide a copy of this order to counsel for the government and counsel for the defendant. The undersigned's judicial assistant will provide a copy to the Federal Public Defender.

February 2, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge